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APPLICATION NO.	I	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/783,532	10/783,532 02/21/2004		John Bowser	BOW001	7160
35830	7590	12/11/2006		EXAMINER	
LAWRENG 21 SAN AN		NSBERG	DONNELLY, JEROME W		
NEWPORT BEACH, CA 92660-9112				ART UNIT	PAPER NUMBER
				3764	
				DATE MAILED: 12/11/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)					
Jerome W. Donnelly 3764		10/783,532	BOWSER, JOHN					
The MALING DATE of this communication appears on the cover sheet with the correspondence address ¬ Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ☑ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MALILING DATE OF THIS COMMUNICATION. Extensions of many be available under the provision of 3 C76 I. 1380, in a creent, however, any cap's be timely fixed in the Communication of 1 C76 I. 1380, in a creent, however, any cap's be timely fixed in the Communication of the provision of the communication of the provision of the communication of the provision of the communication of t	Office Action Summary	Examiner	Art Unit					
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1)	 WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any 							
2a) This action is FINAL. 2b)⊠ This action is non-tinal. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) is/are pending in the application. 2 - 5 / 0 - / 3 , / 5 , / 7 - 20 ≥ 5 and ≥ 6 an								
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Application/Control Number: 10/783,532

Art Unit: 3764

Claims 10-13, 15 and 17-20 are allowed.

Claims 2-5 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Chen.

Chen discloses a device comprising: four legs (15) a first and second activity bags (26) positioned on first and second sides of a chair at approximately shoulder height, third and forth activity bags (27) positioned at third and forth locations, at approximately ankle level, an elastic exercise resistance cable engageable with a selected one of said activity bags and a handgrip connected to one end of said elastic cable.

Any inquiry concerning this communication should be directed to Jerome Donnelly at telephone number (571) 272-4975.

Jerome Donnelly

JEROME DONNELLY

PRIMARY EXAMINER